

**Commonwealth of Kentucky
Environmental and Public Protection Cabinet
Department for Environmental Protection
Division for Air Quality
803 Schenkel Lane
Frankfort, Kentucky 40601
(502) 573-3382**

Draft

**AIR QUALITY PERMIT
Issued under 401 KAR 52:020**

Permittee Name: The HON Company
Mailing Address: 931 Wing Avenue, Owensboro, KY 42302

Source Name: The HON Company
Mailing Address: 931 Wing Avenue, Owensboro, KY 42302

Source Location: 931 Wing Avenue, Owensboro, KY 42302

Permit Number: V-06-012
Source A. I. #: 964
Activity #: APE20060001
Review Type: Title V, Synthetic Minor, NESHAP
Source ID #: 21-059-00035

Regional Office: Owensboro Regional Office
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County: Daviess

**Application
Complete Date:** February 17, 2006
Issuance Date:
Revision Date:
Expiration Date:

**John S. Lyons, Director
Division for Air Quality**

TABLE OF CONTENTS

SECTION	DATE OF ISSUANCE	PAGE
A. PERMIT AUTHORIZATION	RENEWAL	1
B. EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS	RENEWAL	2
C. INSIGNIFICANT ACTIVITIES	RENEWAL	22
D. SOURCE EMISSION LIMITATIONS AND TESTING REQUIREMENTS	RENEWAL	23
E. SOURCE CONTROL EQUIPMENT OPERATING REQUIREMENTS	RENEWAL	25
F. MONITORING, RECORDKEEPING, AND REPORTING REQUIREMENTS	RENEWAL	26
G. GENERAL PROVISIONS	RENEWAL	29
H. ALTERNATE OPERATING SCENARIOS	RENEWAL	35
I. COMPLIANCE SCHEDULE	RENEWAL	36

	Permit type	Log or Activity #	Complete Date	Issuance Date	Summary of Action
V-97-047	Initial Issuance	E999	9/2/1997	March 10, 1998	Initial Construction Permit
V-06-012	Renewal	APE20060001	2/17/2006	---	Permit Renewal and Construction

SECTION A - PERMIT AUTHORIZATION

Pursuant to a duly submitted application the Kentucky Division for Air Quality hereby authorizes the operation of the equipment described herein in accordance with the terms and conditions of this permit. This permit has been issued under the provisions of Kentucky Revised Statutes Chapter 224 and regulations promulgated pursuant thereto.

The permittee shall not construct, reconstruct, or modify any affected facilities without first submitting a complete application and receiving a permit for the planned activity from the permitting authority, except as provided in this permit or in 401 KAR 52:020, Title V Permits.

Issuance of this permit does not relieve the permittee from the responsibility of obtaining any other permits, licenses, or approvals required by this Cabinet or any other federal, state, or local agency.

SECTION B - EMISSION POINTS, EMISSION UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS

EP 01 (01) Wood Waste Boiler
Maximum continuous rating: 20.22 mmBTU/hour
Fuel: Wood waste
Manufacture: Kewanee
Commenced Date: 1980

APPLICABLE REGULATIONS:

Regulation 401 KAR 59:015, New indirect heat exchangers, applicable to an emission unit that has heat input capacity of more than one (1) million Btu/hr commenced on or after April 9, 1972.

40 CFR 63 Subpart DDDDD is applicable to an industrial, commercial, or institutional boiler or process heater as defined in §63.7575 that is located at, or is part of a major source of HAP. The permittee shall comply with this Subpart no later than September 13, 2007.

40 CFR 60 Subpart Dc, Standards of performance for small industrial-commercial-institutional steam generating units, applies to each steam generating unit commenced after June 9, 1989 that has a maximum design heat input capacity between 10 mmBtu/hr and 100 mmBtu/hr. No records or reports are required for a wood fired industrial boiler (≤ 30 mmBtu/hr).

1. Operating Limitations:

The rate of materials used in affected facilities shall not produce emissions which exceed the limitations as described in Section B(2) below.

2. Emission Limitations:

401 KAR 59:015, New Indirect heat exchanges

- a. Section 4(1)(c): Particulate matter emissions shall not exceed 0.428 lbs/mm Btu actual heat input.

Compliance Demonstration Method:

Particulate Matter PM (lbs) = 4.2 x tons of wood waste burned.

- b. Section 5: Sulfur dioxide emissions shall not exceed 3.014 lbs/mm Btu actual heat input.

Compliance Demonstration Method:

Sulfur Dioxide = 0.02 x tons of wood waste burned

- c. Section 4(2): Visible emissions shall not exceed 20% opacity.
- d. Section 4(2)(b): A maximum of forty (40) percent opacity shall be permissible for not more than six (6) consecutive minutes in any sixty (60) consecutive minutes during cleaning the fire box or blowing soot.

Compliance Demonstration Method: See Section B(4)

SECTION B -EMISSION POINTS, EMISSION UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

3. **Testing Requirements:** See Section D(4)
4. **Specific Monitoring Requirements:**
 - a. Daily observations of emissions from the boiler shall be made.
 - b. In addition, once per calendar quarter, EPA Reference Method 9 or equivalent reading shall be performed.
5. **Specific Record Keeping Requirements:**
 - a. Records of fuel usage as tons of waste wood burned shall be kept on a monthly basis. Records shall be retained for a period of five (5) years.
 - b. A log shall be kept of all emissions observations. Notification in the daily log shall be made of, but not limited to the following:
 - i) Whether any air emissions (except for water vapor) were visible from the plant.
 - ii) Whether the visible emissions were normal for the process.
 - iii) Whether the emissions were light or heavy.
 - iv) The cause of any abnormal emissions, and any corrective actions taken.
6. **Specific Reporting Requirements:** None
7. **Specific Control Equipment Operating Conditions:** None
8. **Alternate Operating Scenarios:** None
9. **Compliance Schedule:** None
10. **Compliance Certification Requirements:** See Section F (9)

SECTION B -EMISSION POINTS, EMISSION UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)**40 CFR 63 Subpart DDDDD Requirements for EP 01:**

The permittee shall comply with this Subpart no later than September 13, 2007.

1. 63 Subpart DDDDD Table 1. *Emission limits for existing large solid fuel boilers:*
The permittee shall meet the following emission limits:
 - a. Emission limit for Particulate Matter (or Total Selected Metals) is 0.07 lb per mmBtu of heat input or (0.001 lb per mmBtu of heat input).
 - b. Emission limit for Hydrogen chloride 0.09 lb per mmBtu of heat input.
 - c. Emission limit for Mercury 0.000009 lb per mmBtu of heat input.
2. **§63.7505. General Compliance Requirements:**
 - a. Develop site specific fuel analysis plan according to §63.7521(b).
 - b. Develop and implement a written startup, shutdown, and malfunction (SSM) plan according to §63(e)(3)(§63.7505(e)).
 - c. Calculate your emission rate according to §63.7530(d)(See Item 6, initial compliance demonstration method). If the calculated emission rate is below the applicable limit, demonstrate compliance with the applicable limit using fuel analysis. ***Otherwise, you must demonstrate compliance through performance testing (§63.7505(c)).***
 - d. Comply with emission limits at all times, except for periods of startup, shutdown, and malfunction (SSM) (§63.7505(a)).
 - e. Minimize emissions during periods of SSM according to §63.6(e)(1)(I) (§63.7505(b)).
3. **§63.7521. Initial Compliance:**
 - a. Submit site-specific fuel analysis plan 60 days before you intend to demonstrate compliance (§63.7521(b)).
 - b. Conduct fuel analysis for each type of fuel burned according to §63.7521.
 - c. Demonstrate that your calculated maximum emission rate (based on fuel pollutant content) is below emission limit.
4. **Continuous Compliance:**
 - a. Annual performance test is not required.
 - b. Maintain TSM, Cl, Hg fuel content at or below the limit established during the initial fuel analysis.
 - c. Recalculate the metals, Cl, Hg content of fuel if you plan to burn a new fuel, (§63.7515(f), §63.7540).
 - d. Recalculate the metals, Cl, Hg content of each type of fuel every 5 years (§63.7515(f)).
5. **§63.7545. Reporting and recording requirements:**
 - a. Submit an initial notification according to §63.7545.
 - b. Submit a Notification of Compliance Status according to §63.7545(e). For each initial compliance demonstration, you must submit the Notification of Compliance Status, including all performance test results and fuel analyses, before the close of business on the 60th day following the completion of the performance test.
 - c. Submit semi-annual compliance report according to (§63.7550).

SECTION B -EMISSION POINTS, EMISSION UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

6. §63.7530(d). *Initial compliance demonstration methods:*

To demonstrate compliance with an applicable emission limit through fuel analysis, conduct fuel analyses according to the following procedures:

- a. If you burn more than one fuel type, determine the fuel mixture you could burn in your boiler or process heater that would result in the maximum emission rates of the pollutants that you elect to demonstrate compliance through fuel analysis.
- b. Determine the 90th percentile confidence level fuel pollutant concentration of the composite samples analyzed for each fuel type using the one-sided z-statistic test described in Equation 8 of this section.

$$P_{90} = \text{Mean} + (SD \times t) \quad (\text{Equation 8})$$

Where:

P_{90} = 90th percentile confidence level pollutant concentration, in pounds per million Btu.
 mean = Arithmetic average of the fuel pollutant concentration in the fuel samples analyzed according to §63.7521, in units of pounds per million Btu.

SD = Standard deviation of the pollutant concentration in the fuel samples analyzed according to §63.7521, in units of pounds per million Btu.

t = t distribution critical value for 90th percentile (0.1) probability for the appropriate degrees of freedom (number of samples minus one) as obtained from a Distribution Critical Value Table.

- c. To demonstrate compliance with emission limit for HCl, use Equation 9

$$HCL = \sum_{j=1}^n (C_{i90})(Q_i)(1.028) \quad (\text{Equation 9})$$

Where:

HCl = HCl emission rate from the boiler or process heater in units of pounds per million Btu.

C_{i90} = 90th percentile confidence level concentration of chlorine in fuel type, i, in units of pounds per million Btu as calculated according to Equation 8 of this section.

Q_i = Fraction of total heat input from fuel type, i, based on the fuel mixture that has the highest content of chlorine. If you do not burn multiple fuel types, it is not necessary to determine the value of this term. Insert a value of “1” for Q_i .

n = Number of different fuel types burned in your boiler or process heater for the mixture that has the highest content of chlorine.

1.028 = Molecular weight ratio of HCl to chlorine.

SECTION B -EMISSION POINTS, EMISSION UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

- d. To demonstrate compliance with the applicable emission limit for TSM, the TSM emission rate that you calculate for your boiler or process heater using Equation 10 of this section must be less than the applicable emission limit for TSM.

$$TSM = \sum_{i=1}^{nm} (M_{i90})(Q_i) \quad (\text{Equation 10})$$

Where:

TSM = TSM emission rate from the boiler or process heater in units of pounds per million Btu.

M_{i90} = 90th percentile confidence level concentration of TSM in fuel, i, in units of pounds per million Btu as calculated according to Equation 8 of this section.

Q_i = Fraction of total heat input from fuel type, i, based on the fuel mixture that has the highest content of total selected metals. If you do not burn multiple fuel types, it is not necessary to determine the value of this term. Insert a value of "1" for Q_i .

n = Number of different fuel types burned in your boiler or process heater for the mixture that has the highest content of TSM.

- e. To demonstrate compliance with the limit for mercury, use Equation 11.

$$Mercury = \sum_{i=1}^n (HG_{i90})(Q_i) \quad (\text{Equation 11})$$

Where:

Mercury = Mercury emission rate from the boiler or process heater in units of pounds per million Btu.

HG_{i90} = 90th percentile confidence level concentration of mercury in fuel, i, in units of pounds per million Btu as calculated according to Equation 8 of this section.

Q_i = Fraction of total heat input from fuel type, i, based on the fuel mixture that has the highest mercury content. If you do not burn multiple fuel types, it is not necessary to determine the value of this term. Insert a value of "1" for Q_i .

n = Number of different fuel types burned in your boiler or process heater for the mixture that has the highest mercury content.

RECTION B -EMISSION POINTS, EMISSION UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

EP 02 (02) Natural Gas Boiler
Maximum continuous rating: 11.07 mmBTU/hour
Fuel: Natural Gas
Manufacturer: Highlander
Commenced Date: 1963

APPLICABLE REGULATIONS:

Regulation 401 KAR 61:015, Existing indirect heat exchangers, applicable to an emission unit that has heat input capacity of more than one (1) million Btu/hr and less than 250 million Btu/hr commenced before April 9, 1972.

1. Operating Limitations:

The rate of materials used in affected facilities shall not produce emissions which exceed the limitations as described in §B(2) below.

2. Emission Limitations: 401 KAR 61:015, Existing Indirect heat exchanges

- a. Section 4(1): Particulate matter emissions shall not exceed 0.546 lb/mm Btu actual heat input.
- b. Section 4(2): Visible emissions shall not exceed 20% opacity.
- c. Section 5: Sulfur dioxide emissions shall not exceed 5.92 lbs/mm Btu actual heat input.

Compliance Demonstration Method:

This emission point is assumed to be in compliance with the particulate matter, sulfur dioxide and opacity limit while burning natural gas.

3. Testing Requirements: See Section D(4)

4. Specific Monitoring Requirements: None

5. Specific Record Keeping Requirements:

Records of million cubic feet of natural gas burned shall be kept on a monthly basis. Records shall be retained for a period of five (5) years.

6. Specific Reporting Requirements: None

7. Specific Control Equipment Operating Conditions: None

8. Compliance Schedule: None

9. Compliance Certification Requirements: See Section F (9)

SECTION B -EMISSION POINTS, EMISSION UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

EP 03 (03) Woodworking Operations
 Rough mill, Finish mill, C & C router.
 (Combination of various saws, sanders, planers, router, etc.)
 Control equipment: Bag house
 Commenced Date: 1981

APPLICABLE REGULATIONS:

401 KAR 59:010, New Process Operations, applicable to each affected facility or source, associated with process operation, which is not subject to another emission standard with respect to particulate, commenced on or after July 2, 1975.

1. Operating Limitations:

The rate of materials used in affected facilities shall not produce emissions which exceed the limitations as described in §B(2) below.

2. Emission Limitations:

- a. 401 KAR 59:010, Section 3, PM emissions shall not exceed the hourly allowable rate of 2.34 lbs/hr.
- b. 401 KAR 59:010, Section 3, Visible emissions shall not equal or exceed 20% opacity.

Compliance Demonstration Method:

Compliance with the mass emission limit is assumed when the bag house system controls the emissions of particulate matter and is operated properly in accordance with manufacturer's specifications. Also, see Specific Control Equipment Operating Conditions (7).

3. Testing Requirements: See Section D(4)

4. Monitoring Requirements: None

5. Specific Record Keeping Requirements:

- a. Board feet of wood used in the process shall be recorded on daily basis.
- b. To establish an effective and a consistent efficiency on the bag houses, the pressure drop shall be recorded on a daily basis.

6. Specific Reporting Requirements:

Any exceedance in the particulate emissions rate or visible emissions standard specified in this permit shall be reported to the Division per General Condition F(8) of this permit.

7. Specific Control Equipment Operating Conditions:

The bag house shall be operational at all times when the woodworking processes are operational. Bags in the bag house shall be cleaned/replaced as often as needed to ensure good air pollution control practices. Pressure drop, in accordance with the manufacturer's specifications, shall be monitored daily in order to insure proper operation of the bag house at all times.

SECTION B -EMISSION POINTS, EMISSION UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

8. **State Origin Requirements:** None

9. **Compliance Schedule:** None

SECTION B -EMISSION POINTS, EMISSION UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

EP 04 (4A) Toner Booth
Type of applicator: Airless spray guns
Control equipment: Exhaust filter
Commenced Date: 1970

EP 05 (4B, 4C) Stain Booths A & B
Type of applicator: Airless spray guns
Control equipment: Exhaust filter
Commenced Date: 1970

EP 06 (4D) Sealer Booth
Type of applicator: Airless spray guns
Control equipment: Exhaust filter
Commenced Date: 1970

EP 07 (4E) Top Coat Booth
Type of applicator: Airless spray guns
Control equipment: Exhaust filter
Commenced Date: 1971

APPLICABLE REGULATIONS:

40 CFR 63 Subpart JJ, National Emission Standards for Wood Furniture Manufacturing Operations, applicable to an affected facility that is engaged, either in part or in whole, in the manufacture of wood furniture components and that is located at a plant site that is major source as defined in 40 CFR part 63.2.

401 KAR 61:020, Existing process Operations, applicable to each affected facility or source, associated with a process operation, which is not subject to another emission standard with respect to particulate, commenced before July 2, 1975.

401 KAR 50:012 Section 1(2) General Application of Administrative Regulations and Standards. In the absence of a standard specified in 401 KAR 50 to 65, administrative regulations, all major air contaminant sources shall as a minimum apply control procedures that are reasonable, available, and practical.

1. Operating Limitations:

The rate of materials used in affected facilities shall not produce emissions which exceed the limitations as described in Section B(2) below.

2. Emission Limitations:

- a. For source wide VOC emission limits, see Section D(2).
- b. 401 KAR 61:020, Section 3, PM emissions shall not exceed the hourly allowable rate of 2.58 lbs/hr, per booth.

SECTION B -EMISSION POINTS, EMISSION UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

- c. 401 KAR 61:020, Section 3, Visible emissions shall not equal or exceed 40% opacity.

Compliance Demonstration Method:

Compliance with the mass emission limit is assumed when the filter system controls the emissions of particulate matter and is operated properly in accordance with manufacturer's specifications and/or standard operating procedures as approved by the Division.

- d. 401 KAR 50:012 Section 1(2) General Application of Administrative Regulations and Standards. In the absence of a standard specified in 401 KAR 50 to 65, administrative regulations, all major air contaminant sources shall as a minimum apply control procedures that are reasonable, available, and practical.

Compliance Demonstration Method: See Section D(3).

- e. §63.802 Emission limits. See group requirements for 40 CFR 63 Subpart JJ

3. **Testing Requirements:** See Section D(4)

4. **Monitoring Requirements:** See compliance demonstration method B2(c)

5. **Specific Record Keeping Requirements:**

- a. See Section D(5).
b. §63.806 Record keeping requirements. See group requirements for 40 CFR 63 Subpart JJ.

6. **Specific Reporting Requirements:**

- a. See Section D(6)
b. §63.807 Reporting requirements. See group requirements for 40 CFR 63 Subpart JJ.

7. **Specific Control Equipment Operating Conditions:**

Exhaust filters shall be in place at all times when the spray booths are operating and shall be cleaned/replaced as often as needed to comply with the emission limitations.

8. **Compliance Schedule:** See Group Requirements

9. **Compliance Certification Requirement:** See Section F(9)

SECTION B -EMISSION POINTS, EMISSION UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

EP 08 (06) Upholstery operations
Type of applicator: Manual Adhesive Spray
Control equipment: Exhaust filter
Commenced Date: 1997

APPLICABLE REGULATIONS:

40 CFR 63 Subpart JJ, National Emission Standards for Wood Furniture Manufacturing Operations, applicable to an affected facility that is engaged, either in part or in whole, in the manufacture of wood furniture components and that is located at a plant site that is major source as defined in 40 CFR part 63.2.

401 KAR 59:010, New process Operations, applicable to each affected facility or source, associated with a process operation, which is not subject to another emission standard with respect to particulate, commenced on or after July 2, 1975.

401 KAR 50:012 Section 1(2) General Application of Administrative Regulations and Standards. In the absence of a standard specified in 401 KAR 50 to 65, administrative regulations, all major air contaminant sources shall as a minimum apply control procedures that are reasonable, available, and practical.

1. Operating Limitations:

The rate of materials used in affected facilities shall not produce emissions which exceed the limitations as described in Section B (2) below.

2. Emission Limitations:

- a. For source wide VOC emission limits, see Section D(2).
- b. 401 KAR 59:010, Section 3, PM emissions shall not exceed the hourly allowable rate of 2.34 lbs/hr, per booth.
- c. 401 KAR 59:010, Section 3, Visible emissions shall not equal or exceed 20% opacity.

Compliance Demonstration Method:

Compliance with the mass emission limit is assumed when the filter system controls the emissions of particulate matter and is operated properly in accordance with manufacturer's specifications and/or standard operating procedures as approved by the Division.

- d. 401 KAR 50:012 Section 1(2) General Application of Administrative Regulations and Standards. In the absence of a standard specified in 401 KAR 50 to 65, administrative regulations, all major air contaminant sources shall as a minimum apply control procedures that are reasonable, available, and practical.

Compliance Demonstration Method: See Section D(3).

- e. §63.802 Emission limits. See group requirements for 40 CFR 63 Subpart JJ.

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

3. **Testing Requirements:** See Section D(4)
4. **Monitoring Requirements:** See compliance demonstration method B2(c)
5. **Specific Record Keeping Requirements:**
 - a. See Section D(5).
 - b. §63.806 Record keeping requirements. See group requirements for 40 CFR 63 Subpart JJ.
6. **Specific Reporting Requirements:**
 - a. See Section D(6)
 - b. §63.807 Reporting requirements. See group requirements for 40 CFR 63 Subpart JJ.
7. **Specific Control Equipment Operating Conditions:**

Exhaust filters shall be in place at all times when the spray booths are operating and shall be cleaned/replaced as often as needed to comply with the emission limitations.
8. **Compliance Schedule:** See Group Requirements
9. **Compliance Certification Requirement:** See Section F(9)

SECTION B -EMISSION POINTS, EMISSION UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

EP 09 (4f) Paint Spray Booth (Six applicators)
Types of coats: Toner, stain, sealer and topcoat
Type of applicator: Airless spray guns
Control equipment: Exhaust filter
Commenced Date: Projected in June 2006

EP 10 (4g) Paint Spray Booth (Six applicators)
Types of coats: Toner, stain, sealer and topcoat
Type of applicator: Airless spray guns
Control equipment: Exhaust filter
Commenced Date: Projected in June 2006

APPLICABLE REGULATIONS:

40 CFR 63 Subpart JJ, National Emission Standards for Wood Furniture Manufacturing Operations, applicable to an affected facility that is engaged, either in part or in whole, in the manufacture of wood furniture components and that is located at a plant site that is major source as defined in 40 CFR part 63.2.

401 KAR 59:010, Existing process Operations, applicable to each affected facility or source, associated with a process operation, which is not subject to another emission standard with respect to particulate, commenced after July 2, 1975.

401 KAR 50:012 Section 1(2) General Application of Administrative Regulations and Standards. In the absence of a standard specified in 401 KAR 50 to 65, administrative regulations, all major air contaminant sources shall as a minimum apply control procedures that are reasonable, available, and practical.

1. Operating Limitations:

The rate of materials used in affected facilities shall not produce emissions which exceed the limitations as described in Section B(2) below.

2. Emission Limitations:

- a. For source wide VOC emission limits, see Section D(2).
- b. 401 KAR 59:010, Section 3, PM emissions shall not exceed the hourly allowable rate of 2.34 lbs/hr, per booth.
- c. 401 KAR 59:010, Section 3, Visible emissions shall not equal or exceed 20% opacity.

Compliance Demonstration Method:

Compliance with the mass emission limit is assumed when the filter system controls the emissions of particulate matter and is operated properly in accordance with manufacturer's specifications and/or standard operating procedures as approved by the Division.

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

- d. 401 KAR 50:012 Section 1(2) General Application of Administrative Regulations and Standards. In the absence of a standard specified in 401 KAR 50 to 65, administrative regulations, all major air contaminant sources shall as a minimum apply control procedures that are reasonable, available, and practical.

Compliance Demonstration Method: See Section D(3).

- e. §63.802 Emission limits. See group requirements for 40 CFR 63 Subpart JJ

3. **Testing Requirements:** See Section D(4)

4. **Monitoring Requirements:** See compliance demonstration method B2(c)

5. **Specific Record Keeping Requirements:**

- a. See Section D(5).
- b. §63.806 Record keeping requirements. See group requirements for 40 CFR 63 Subpart JJ.

6. **Specific Reporting Requirements:**

- a. See Section D(6)
- b. §63.807 Reporting requirements. See group requirements for 40 CFR 63 Subpart JJ.

7. **Specific Control Equipment Operating Conditions:**

Exhaust filters shall be in place at all times when the spray booths are operating and shall be cleaned/replaced as often as needed to comply with the emission limitations.

8. **Compliance Schedule:** See Group Requirements

9. **Compliance Certification Requirement:** See Section F(9)

SECTION B -EMISSION POINTS, EMISSION UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

GROUP REQUIREMENTS:

Existing source: EP 04, EP 05, EP 06, EP 07 and EP 08

New Source: EP 09 and EP 10

APPLICABLE REGULATIONS:

40 CFR 63 Subpart JJ, National Emission Standards for Wood Furniture Manufacturing Operations, applicable to an affected facility that is engaged, either in part or in whole, in the manufacture of wood furniture components and that is located at a plant site that is a major source as defined in 40 CFR part 63.2.

1. Operating Limitations:

- A. §63.803(a). **WORK PRACTICE IMPLEMENTATION PLAN:** The permittee shall maintain the written work practice implementation plan. The written work practice implementation plan shall be available for inspection by the Division for Air Quality (DAQ) upon request. If the DAQ determines that the work practice implementation plan does not adequately address each of the topics specified in paragraphs (B) through (J) of this section or that the plan does not include sufficient mechanisms for ensuring that the work practice standards are being implemented, the DAQ may require the affected source to modify the plan. Revisions or modifications to the plan do not require a revision of the source's Title V permit.
- B. §63.803(b). **OPERATOR TRAINING:** Personnel involved in finishing, gluing, cleaning, and wash off operations shall be trained in appropriate application, cleaning, and wash off procedures, equipment setup and adjustment to minimize finishing material usage and over spray, and appropriate management of cleanup wastes. New personnel shall be trained upon hiring. All personnel shall be given refresher training annually.
- C. §63.803(e). **WASHOFF AND CLEANING SOLVENTS:** Cleaning or wash off solvents that contain any of the pollutants listed in 40 CFR 63, Subpart JJ, Table 4, in concentrations subject to MSDS reporting as required by OSHA, shall not be used. Emissions from wash off shall be further controlled by using normally closed tanks to contain wash off, and orientation of the part to drain as much solvent as possible.
- D. §63.803(f). **SPRAY BOOTH CLEANING:** Compounds containing more than 8.0 percent by weight of VOC shall not be used for cleaning spray booth components other than conveyors, continuous coaters and their enclosures, or metal filters, unless the spray booth is being refurbished. If the spray booth is being refurbished, that is the spray booth coating or other protective material used to cover the booth is being replaced, the affected source shall use no more than 1.0 gallon of organic solvent per booth to prepare the surface of the booth prior to applying the booth coating.

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

- E. §63.803(i and j). **LINE AND GUN CLEANING:** Normally closed containers shall be used to contain all organic solvent used to clean lines and spray guns.
- F. §63.803(g). **STORAGE REQUIREMENTS:** Normally closed containers shall be used for storing finishing, gluing, cleaning, and wash off materials.
- G. §63.803(h). **APPLICATION EQUIPMENT REQUIREMENTS:** Conventional air spray guns shall be used to apply finishing materials only under any of the following circumstances:
- (1) To apply finishing materials that have a VOC content no greater than 1.0 lb VOC/lb solids, as applied;
 - (2) For touch up and repair under the following conditions:
 - (a) The touch up and repair occurs after completion of the finishing operation;
or
 - (b) The touch up and repair occurs after the application of stain and before the application of any other type of finishing material and the material used for touch up and repair are applied from a container that has a volume of no more than 2.0 gallons.
 - (3) When spray is automated, that is, the spray gun is aimed and triggered automatically, not manually.
 - (4) The conventional air gun is used to apply finishing materials and the cumulative total usage of that finishing material is no more than 5.0 percent of the total gallons of finishing material used during that semiannual period.
- H. §63.803(c). **LEAK INSPECTION REQUIREMENTS:** As a minimum, all equipment used to transfer or apply coatings, adhesives, or organic solvents shall be visually inspected once per month. A first attempt at repair (e.g., tightening of packing glands) shall be made no later than five calendar days after the leak is detected, and final repairs shall be made within 15 calendar days after the leak is detected, unless the leaking equipment is to be replaced by a new purchase, in which case repairs shall be completed within three months.
- I. §63.802(a)(2). **ADHESIVES:** Volatile Hazardous Air Pollutant (VHAP) content of contact adhesives applied to porous substrates shall not exceed 1.0 lb VHAP/lb solids as applied.
- J. **Formulation assessment plan for finishing operations.** The permittee shall prepare and maintain with the work practice implementation plan a formulation assessment plan that:
- (1) Identifies VHAP from the list presented in Table 5 of **subpart JJ** that are being used in finishing operations by the affected source;
 - (2) Establishes a baseline level of usage by the affected source, for each VHAP identified in paragraph (J)(1) of this section.

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

- (3) Tracks the annual usage of each VHAP identified in (J)(1) by the affected source that is present in amounts subject to MSDS reporting as required by OSHA.
- (4) If, after November 1998, the annual usage of the VHAP identified in paragraph (J)(1) exceeds its baseline level, then the owner or operator of the affected source shall provide a written notification to the permitting authority that describes the amount of the increase and explains the reasons for exceedance of the baseline level. The following explanations would relieve the from further action, unless the affected source is not in compliance with any State regulations or requirements for that VHAP:
 - (i) The exceedance is no more than 15.0 percent above the baseline level;
 - (ii) The affected source is in compliance with its State's air toxic regulations or guidelines for the VHAP; or
 - (iii) The source of the pollutant is a finishing material with a VOC content of no more than 1.0 lb VOC/lb solids, as applied

2. Emission Limitations: §63:802

- A. For the **existing affected source (EP 04, EP 05, EP 06, EP 07 and EP 08)** the permittee shall:
 - (1) Limit VHAP emissions from finishing operations by meeting the emission limitations for existing sources presented in Table 3 of this **subpart JJ**, using any of the compliance methods in §63.804(a).
 - (2) Limit VHAP emissions from contact adhesives by achieving a VHAP limit for contact adhesives based on the following criteria:

For all contact adhesives applied to nonporous substrates, the VHAP content of the adhesive shall not exceed 1.0 lb VHAP/lb solids, as applied.
 - (3) Limit HAP emissions from strippable spray booth coatings by using coatings that contain no more than 0.8 lb VOC/lb solids, as applied.
- B. For the **new affected source (EP 09 and EP 10)** the permittee shall:
 - (1) Limit VHAP emissions from finishing operations by meeting the emission limitations for new sources presented in Table 3 of this **subpart JJ** using any of the compliance methods in §63.804(d).
 - (2) Limit VHAP emissions from contact adhesives by achieving a VHAP limit for contact adhesives, excluding aerosol adhesives and excluding contact adhesives applied to nonporous substrates, of no greater than 0.2 lb VHAP/lb solids.
 - (3) Limit HAP emissions from strippable spray booth coatings by using coatings that contain no more than 0.8 lb VOC/lb solids, as applied.

Compliance Demonstration**§63.804. Compliance procedures and monitoring requirements.**

- A. For the **existing affected source (EP 04, EP 05, EP 06, EP 07 and EP 08)** the permittee shall comply with the following provision presented in §63.804.

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

- (1) §63.804(a)(1). Calculate the average VHAP content for all finishing materials used at the facility using Equation 1, and maintain a value of E no greater than 1.0;

$$E = (M_{c1}C_{c1} + M_{c2}C_{c2} + \dots + M_{cn}C_{cn} + S_1W_1 + S_2W_2 + \dots + S_nW_n) / (M_{c1} + M_{c2} + \dots + M_{cn})$$

- (2) §63.804(a)(2). Use compliant finishing materials according to the following criteria:
- (i) Demonstrate that each stain, sealer, and topcoat has a VHAP content of no more than 1.0 lb VHAP/lb solids, as applied, and each thinner contains no more than 10.0 percent VHAP by weight by maintaining certified product data sheets for each coating and thinner;
 - (ii) Demonstrate that each wash coat and base coat that is purchased pre-made, that is, it is not formulated onsite by thinning another finishing material, has a VHAP content of no more than 1.0 lb VHAP/lb solids, as applied, and each thinner contains no more than 10.0 percent VHAP by weight by maintaining certified product data sheets for each coating and thinner; and
 - (iii) Demonstrate that each wash coat and base coat, that is formulated at the affected source is formulated using a finishing material containing no more than 1.0 lb VHAP/lb solids and a thinner containing no more than 3.0 percent VHAP by weight.

- B. For the **new affected source (EP 09 and EP 10)** the permittee may comply with those provisions by using any of the following methods:

- (1) §63.804(d)(1). Calculate the average VHAP content across all finishing materials used at the facility using Equation 1 described in Section A above, and maintain a value of E no greater than 0.8;
- (2) §63.804(d)(2). Use compliant finishing materials according to the following criteria:
- (i) Demonstrate that each sealer and topcoat has a VHAP content of no more than 0.8 lb VHAP/lb solids, as applied, each stain has a VHAP content of no more than 1.0 lb VHAP/lb solids, as applied, and each thinner contains no more than 10.0 percent VHAP by weight;
 - (ii) Demonstrate that each wash coat and base coat that is purchased pre-made, that is, it is not formulated onsite by thinning another finishing material, has a VHAP content of no more than 0.8 lb VHAP/lb solids, as applied, and each thinner contains no more than 10.0 percent VHAP by weight;
 - (iii) Demonstrate that each wash coat and base coat that is formulated onsite is formulated using a finishing material containing no more than 0.8 lb VHAP/lb solids and a thinner containing no more than 3.0 percent HAP by weight.

- C. For the **new affected source** subject to §63.802(b)(2) the permittee shall comply with the provisions using the following methods:

Use compliant contact adhesives with a VHAP content no greater than 0.2 lb VHAP/lb solids, as applied.

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)**D. Initial compliance for New affected source (EP 09 and EP 10).**

- (i) Compliance date: upon construction.
- (ii) The permittee shall submit the results of the averaging calculation (Equation 1) for the first month with the initial compliance status report required by §63.807. The first month's calculation shall include data for the entire month in which the compliance date falls.
- (iii) The permittee shall submit an initial compliance status report, as required by §63.807, stating that compliant stains, washcoats, sealers, topcoats, basecoats, enamels, and thinners, as applicable, are being used by the affected source.

E. Continuous compliance demonstrations. The permittee shall demonstrate continuous compliance by submitting the results of the averaging calculation (Equation 1) for each month within that semiannual period and submitting a compliance certification with the semiannual report required by §63.807.

- (i) The compliance certification shall state that the value of (E), as calculated by Equation 1, is no greater than 1.0 for **existing sources** or 0.8 for **new affected sources**. An affected source is in violation of the standard if E is greater than 1.0 for existing sources or 0.8 for new sources for any month. A violation of the monthly average is a separate violation of the standard for each day of operation during the month, unless the affected source can demonstrate through records that the violation of the monthly average can be attributed to a particular day or days during the period.
- (ii) The compliance certification shall be signed by a responsible official of the company that owns or operates the affected source.

3. Specific Record Keeping Requirements: §63.806**A.** The permittee shall maintain records of the following:

- (1) A certified product data sheet for each finishing material, thinner, contact adhesive, and strippable spray booth coating subject to the emission limits in the Item 2; and
- (2) The VHAP content, in lb VHAP/lb solids, as applied, of each finishing material and contact adhesive subject to the emission limits in Item 2; and
- (3) The VOC content, in lb VOC/lb solids, as applied, of each strippable booth coating subject to the emission limits in the Item 2.

B. The permittee shall maintain copies of the averaging calculation for each month following the compliance date, as well as the data on the quantity of coatings and thinners used that is necessary to support the calculation of E in Equation 1.**C.** The permittee shall maintain onsite the work practice implementation plan and all records associated with fulfilling the requirements of that plan, including, but not limited to:

- (1) Records demonstrating that the operator training program required by Item 1 is in place;
- (2) Records collected in accordance with the inspection and maintenance plan required by Item 1.

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

- (3) Records associated with the cleaning solvent accounting system required by Item 1;
 - (4) Records associated with the limitation on the use of conventional air spray guns showing total finishing material usage and the percentage of finishing materials applied with conventional air spray guns for each semiannual period as required by Item 1.
 - (5) Records associated with the formulation assessment plan required by Item 1; and
 - (6) Copies of documentation such as logs developed to demonstrate that the other provisions of the work practice implementation plan are followed.
- D. The permittee shall maintain records of the compliance certifications submitted in accordance with Item 2 for each semiannual period following the compliance date.
4. **Specific Reporting Requirements: §63.807**
- A. §63.804, **COMPLIANCE CERTIFICATION** signed by a responsible official of the company that owns or operates the affected source to include:
- (1) Statement that compliant stains, washcoats, sealers, topcoats, basecoats, enamels, and thinners, as applicable have been used each day in the semiannual reporting period or should otherwise identify the periods of noncompliance and the reasons for noncompliance.
 - (2) Statement that the work practice implementation plan is being followed, or should otherwise identify the provisions of the plan that have not been implemented and each day the provisions were not implemented. During any period of time that an owner or operator is required to implement the provisions of the plan, each failure to implement an obligation under the plan during any particular day is a violation.
 - (3) Statement of whether or not the affected source was in compliance, and if not, what measures were taken to bring the affected source in compliance.
- B. These Conditions 1, 3, and 4 (Operating limitations, Record keeping, and Reporting) are intended to convey the requirements of 40 CFR Part 63, Subpart JJ, as applicable to the affected facilities permitted herein. This does not release the permittee of this source from responsibility for any requirements of Subpart JJ. not specifically stated in this permit.

SECTION C - INSIGNIFICANT ACTIVITIES

The following listed activities have been determined to be insignificant activities for this source pursuant to 401 KAR 52:020, Section 6. While these activities are designated as insignificant the permittee must comply with the applicable regulation and some minimal level of periodic monitoring may be necessary.

<u>Description</u>	<u>Generally Applicable Regulation</u>
1. Finishing Air Make up Units (3) with 3.213 mm Btu/hr per burner	NA
2. Steam Heated Untreated Lumber Drying Kilns	401 KAR 63:010
3. Diesel Tank 300 gals	401 KAR 63:010
4. Kerosene Tank 150 gals	401 KAR 63:010
5. Gasoline Tank 300 gals	401 KAR 63:010

SECTION D - SOURCE EMISSION LIMITATIONS AND TESTING REQUIREMENTS

1. As required by Section 1b of the *Cabinet Provisions and Procedures for Issuing Title V Permits* incorporated by reference in 401 KAR 52:020, Section 26; compliance with annual emissions and processing limitations contained in this permit, shall be based on emissions and processing rates for any twelve (12) consecutive months.
2. Source-wide VOC emissions shall be less than 225 tons per rolling 12 months.

Compliance Demonstration Method:

Compliance with VOC shall be demonstrated by a material balance method consisting of record keeping of primers, base coats, top coats, and solvent utilized, VOC content and resulting emissions, which will be summarized on a monthly basis. The equation for monthly record keeping is as follows:

$$\text{Monthly VOC emission} = \sum [\text{Monthly usage of each sealer, stain, topcoat, solvent, thinner diluent, or any other VOC containing material in pounds or gallons per month}] \times [\text{VOC fraction}] \times [\text{appropriate conversion factor (if usage is in gallons) for gallons to pounds for each coating, solvent thinner, diluent, or any other VOC containing material used}]$$

3. Pursuant to 401 KAR 50:012, General Application of Administrative Regulations and Standards, in the absence of a standard specified in the administrative regulations, 401 KAR Chapters 50 to 65, all major air contaminant sources shall, as a minimum, apply control procedures that are reasonable, available, and practical.

Compliance Demonstration Method:

Within ninety (90) days of the issuance of the Title V permit, the permittee shall submit a determination to the Division for Air Quality's Frankfort Central Office to verify that all control procedures utilized to minimize VOC emissions are reasonable, available, and practical, in accordance with 401 KAR 50:012.

4. **Testing Requirements:** Testing shall be conducted at such times as may be required by the Cabinet in accordance with Regulation 401 KAR 59:005, Section 2(2) and 401 KAR 50:045, Section 4.
5. **Specific Record Keeping Requirements:**
 - a. Monthly records shall be kept of all adhesives, stains, sealers, thinners, and clean-up solutions used, including the type, amount, VOC content by weight percent, less any water and/or exempt solvent.
 - b. Monthly records shall be kept of all materials containing HAP(s) used for the above affected facilities, including the product type, amount used and weight percentages of all individual HAPs.
 - c. VOC emissions shall be calculated monthly per Section D of this permit, and every month, a new 12-month rolling total for VOC emissions shall be calculated.

SECTION D - SOURCE EMISSION LIMITATIONS AND TESTING REQUIREMENTS (CONTINUED)

- d. All records shall be retained by the source for a period of five years. These records, as well as purchase orders and invoices for all VOC containing materials, shall be made available for inspection upon request by any authorized representative of the Division for Air Quality.

6. Specific Reporting Requirements:

- a. Any deviations from requirements of section B shall be reported.
- b. The VOC emission calculation for each month in the semi-annual period shall be reported.
- c. The rolling 12 month total for VOC during each month in the semi-annual period shall be reported.
- d. See Group Requirements and Section F(2)

SECTION E - SOURCE CONTROL EQUIPMENT REQUIREMENTS

Pursuant to 401 KAR 50:055, Section 2(5), at all times, including periods of startup, shutdown and malfunction, owners and operators shall, to the extent practicable, maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with good air pollution control practice for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the Division which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the source.

SECTION F - MONITORING, RECORDKEEPING, AND REPORTING REQUIREMENTS

1. Pursuant to Section 1b (IV)1 of the *Cabinet Provisions and Procedures for Issuing Title V Permits* incorporated by reference in 401 KAR 52:020, Section 26, when continuing compliance is demonstrated by periodic testing or instrumental monitoring, the permittee shall compile records of required monitoring information that include:
 - a. Date, place as defined in this permit, and time of sampling or measurements;
 - b. Analyses performance dates;
 - c. Company or entity that performed analyses;
 - d. Analytical techniques or methods used;
 - e. Analyses results; and
 - f. Operating conditions during time of sampling or measurement.
2. Records of all required monitoring data and support information, including calibrations, maintenance records, and original strip chart recordings, and copies of all reports required by the Division for Air Quality, shall be retained by the permittee for a period of five years and shall be made available for inspection upon request by any duly authorized representative of the Division for Air Quality [Sections 1b(IV) 2 and 1a(8) of the *Cabinet Provisions and Procedures for Issuing Title V Permits* incorporated by reference in 401 KAR 52:020, Section 26].
3. In accordance with the requirements of 401 KAR 52:020 Section 3(1)h the permittee shall allow authorized representatives of the Cabinet to perform the following during reasonable times:
 - a. Enter upon the premises to inspect any facility, equipment (including air pollution control equipment), practice, or operation;
 - b. To access and copy any records required by the permit;
 - c. Sample or monitor, at reasonable times, substances or parameters to assure compliance with the permit or any applicable requirements.Reasonable times are defined as during all hours of operation, during normal office hours; or during an emergency.
4. No person shall obstruct, hamper, or interfere with any Cabinet employee or authorized representative while in the process of carrying out official duties. Refusal of entry or access may constitute grounds for permit revocation and assessment of civil penalties.
5. Summary reports of any monitoring required by this permit, other than continuous emission or opacity monitors, shall be submitted to the Regional Office listed on the front of this permit at least every six (6) months during the life of this permit, unless otherwise stated in this permit. For emission units that were still under construction or which had not commenced operation at the end of the 6-month period covered by the report and are subject to monitoring requirements in this permit, the report shall indicate that no monitoring was performed during the previous six months because the emission unit was not in operation [Section 1b (V)1 of the *Cabinet Provisions and Procedures for Issuing Title V Permits* incorporated by reference in 401 KAR 52:020, Section 26].

SECTION F - MONITORING, RECORDKEEPING, AND REPORTING REQUIREMENTS (CONTINUED)

6. The semi-annual reports are due by January 30th and July 30th of each year. All reports shall be certified by a responsible official pursuant to 401 KAR 52:020 Section 23. If continuous emission and opacity monitors are required by regulation or this permit, data shall be reported to the Technical Services Branch in accordance with the requirements of 401 KAR 59:005, General Provisions, Section 3(3). All deviations from permit requirements shall be clearly identified in the reports.
7. In accordance with the provisions of 401 KAR 50:055, Section 1 the owner or operator shall notify the Regional Office listed on the front of this permit concerning startups, shutdowns, or malfunctions as follows:
 - a. When emissions during any planned shutdowns and ensuing startups will exceed the standards, notification shall be made no later than three (3) days before the planned shutdown, or immediately following the decision to shut down, if the shutdown is due to events which could not have been foreseen three (3) days before the shutdown.
 - b. When emissions due to malfunctions, unplanned shutdowns and ensuing startups are or may be in excess of the standards, notification shall be made as promptly as possible by telephone (or other electronic media) and shall be submitted in writing upon request.
8. The owner or operator shall report emission related exceedances from permit requirements including those attributed to upset conditions (other than emission exceedances covered by Section F.7. above) to the Regional Office listed on the front of this permit within 30 days. Other deviations from permit requirements shall be included in the semiannual report required by Section F.6 [Section 1b (V) 3, 4. of the *Cabinet Provisions and Procedures for Issuing Title V Permits* incorporated by reference in 401 KAR 52:020, Section 26].
9. Pursuant to 401 KAR 52:020, Permits, Section 21, the permittee shall annually certify compliance with the terms and conditions contained in this permit, by completing and returning a Compliance Certification Form (DEP 7007CC) (or an alternative approved by the regional office) to the Regional Office listed on the front of this permit and the U.S. EPA in accordance with the following requirements:
 - a. Identification of the term or condition;
 - b. Compliance status of each term or condition of the permit;
 - c. Whether compliance was continuous or intermittent;
 - d. The method used for determining the compliance status for the source, currently and over the reporting period.
 - e. For an emissions unit that was still under construction or which has not commenced operation at the end of the 12-month period covered by the annual compliance certification, the permittee shall indicate that the unit is under construction and that compliance with any applicable requirements will be demonstrated within the timeframes specified in the permit.

SECTION F - MONITORING, RECORDKEEPING, AND REPORTING REQUIREMENTS (CONTINUED)

- f. The certification shall be postmarked by January 30th of each year. Annual compliance certifications should be mailed to the following addresses:

Division for Air Quality
Owensboro Regional Office
3032 Alvey Park Dr. STE 700
Owensboro, KY 42303

U.S. EPA Region 4
Air Enforcement Branch
Atlanta Federal Center
61 Forsyth St.
Atlanta, GA 30303-8960

Division for Air Quality
Central Files
803 Schenkel Lane
Frankfort, KY 40601

10. In accordance with 401 KAR 52:020, Section 22, the permittee shall provide the Division with all information necessary to determine its subject emissions within thirty (30) days of the date the KYEIS emission survey is mailed to the permittee.
11. Results of performance test(s) required by the permit shall be submitted to the Division by the source or its representative within forty-five days or sooner if required by an applicable standard, after the completion of the fieldwork.

SECTION G - GENERAL PROVISIONS(a) General Compliance Requirements

1. The permittee shall comply with all conditions of this permit. Noncompliance shall be a violation of 401 KAR 52:020 and of the Clean Air Act and is grounds for enforcement action including but not limited to termination, revocation and reissuance, revision or denial of a permit [Section 1a, 3 of the *Cabinet Provisions and Procedures for Issuing Title V Permits* incorporated by reference in 401 KAR 52:020 Section 26].
2. The filing of a request by the permittee for any permit revision, revocation, reissuance, or termination, or of a notification of a planned change or anticipated noncompliance, shall not stay any permit condition [Section 1a, 6 of the *Cabinet Provisions and Procedures for Issuing Title V Permits* incorporated by reference in 401 KAR 52:020, Section 26].
3. This permit may be revised, revoked, reopened and reissued, or terminated for cause in accordance with 401 KAR 52:020, Section 19. The permit will be reopened for cause and revised accordingly under the following circumstances:
 - a. If additional applicable requirements become applicable to the source and the remaining permit term is three (3) years or longer. In this case, the reopening shall be completed no later than eighteen (18) months after promulgation of the applicable requirement. A reopening shall not be required if compliance with the applicable requirement is not required until after the date on which the permit is due to expire, unless this permit or any of its terms and conditions have been extended pursuant to 401 KAR 52:020, Section 12;
 - b. The Cabinet or the U. S. EPA determines that the permit must be revised or revoked to assure compliance with the applicable requirements;
 - c. The Cabinet or the U. S. EPA determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit;

Proceedings to reopen and reissue a permit shall follow the same procedures as apply to initial permit issuance and shall affect only those parts of the permit for which cause to reopen exists. Reopenings shall be made as expeditiously as practicable. Reopenings shall not be initiated before a notice of intent to reopen is provided to the source by the Division, at least thirty (30) days in advance of the date the permit is to be reopened, except that the Division may provide a shorter time period in the case of an emergency.

4. The permittee shall furnish information upon request of the Cabinet to determine if cause exists for modifying, revoking and reissuing, or terminating the permit; or to determine compliance with the conditions of this permit [Section 1a, 7,8 of the *Cabinet Provisions and Procedures for Issuing Title V Permits* incorporated by reference in 401 KAR 52:020, Section 26].
5. The permittee, upon becoming aware that any relevant facts were omitted or incorrect information was submitted in the permit application, shall promptly submit such facts or corrected information to the permitting authority [401 KAR 52:020, Section 7(1)].

SECTION G - GENERAL PROVISIONS (CONTINUED)

6. Any condition or portion of this permit which becomes suspended or is ruled invalid as a result of any legal or other action shall not invalidate any other portion or condition of this permit [Section 1a, 14 of the *Cabinet Provisions and Procedures for Issuing Title V Permits* incorporated by reference in 401 KAR 52:020, Section 26].
7. The permittee shall not use as a defense in an enforcement action the contention that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance [Section 1a, 4 of the *Cabinet Provisions and Procedures for Issuing Title V Permits* incorporated by reference in 401 KAR 52:020, Section 26].
8. Except for requirements identified in this permit as state-origin requirements, all terms and conditions shall be enforceable by the United States Environmental Protection Agency and citizens of the United States [Section 1a, 15 of the *Cabinet Provisions and Procedures for Issuing Title V Permits* incorporated by reference in 401 KAR 52:020, Section 26].
9. This permit shall be subject to suspension if the permittee fails to pay all emissions fees within 90 days after the date of notice as specified in 401 KAR 50:038, Section 3(6) [Section 1a, 10 of the *Cabinet Provisions and Procedures for Issuing Title V Permits* incorporated by reference in 401 KAR 52:020, Section 26].
10. Nothing in this permit shall alter or affect the liability of the permittee for any violation of applicable requirements prior to or at the time of permit issuance [401 KAR 52:020, Section 11(3)(b)].
11. This permit does not convey property rights or exclusive privileges [Section 1a, 9 of the *Cabinet Provisions and Procedures for Issuing Title V Permits* incorporated by reference in 401 KAR 52:020, Section 26].
12. Issuance of this permit does not relieve the permittee from the responsibility of obtaining any other permits, licenses, or approvals required by the Kentucky Cabinet for Environmental and Public Protection or any other federal, state, or local agency.
13. Nothing in this permit shall alter or affect the authority of U.S. EPA to obtain information pursuant to Federal Statute 42 USC 7414, Inspections, monitoring, and entry [401 KAR 52:020, Section 11(3)(d)].
14. Nothing in this permit shall alter or affect the authority of U.S. EPA to impose emergency orders pursuant to Federal Statute 42 USC 7603, Emergency orders [401 KAR 52:020, Section 11(3)(a)].
15. This permit consolidates the authority of any previously issued PSD, NSR, or Synthetic Minor source preconstruction permit terms and conditions for various emission units and incorporates all requirements of those existing permits into one single permit for this source.

SECTION G - GENERAL PROVISIONS (CONTINUED)

16. Pursuant to 401 KAR 52:020, Section 11, a permit shield shall not protect the owner or operator from enforcement actions for violating an applicable requirement prior to or at the time of issuance. Compliance with the conditions of a permit shall be considered compliance with:
 - a. Applicable requirements that are included and specifically identified in the permit and
 - b. Non-applicable requirements expressly identified in this permit.

(b) Permit Expiration and Reapplication Requirements

1. This permit shall remain in effect for a fixed term of five (5) years following the original date of issue. Permit expiration shall terminate the source's right to operate unless a timely and complete renewal application has been submitted to the Division at least six months prior to the expiration date of the permit. Upon a timely and complete submittal, the authorization to operate within the terms and conditions of this permit, including any permit shield, shall remain in effect beyond the expiration date, until the renewal permit is issued or denied by the Division [401 KAR 52:020, Section 12].
2. The authority to operate granted shall cease to apply if the source fails to submit additional information requested by the Division after the completeness determination has been made on any application, by whatever deadline the Division sets [401 KAR 52:020 Section 8(2)].

(c) Permit Revisions

1. A minor permit revision procedure may be used for permit revisions involving the use of economic incentive, marketable permit, emission trading, and other similar approaches, to the extent that these minor permit revision procedures are explicitly provided for in the SIP or in applicable requirements and meet the relevant requirements of 401 KAR 52:020, Section 14(2).
2. This permit is not transferable by the permittee. Future owners and operators shall obtain a new permit from the Division for Air Quality. The new permit may be processed as an administrative amendment if no other change in this permit is necessary, and provided that a written agreement containing a specific date for transfer of permit responsibility coverage and liability between the current and new permittee has been submitted to the permitting authority within ten (10) days following the transfer.

(d) Construction, Start-Up, and Initial Compliance Demonstration Requirements EP 09 and EP 10

Pursuant to a duly submitted application the Kentucky Division for Air Quality hereby authorizes the construction of the equipment described herein, emission points 9 and 10 in accordance with the terms and conditions of this permit.

SECTION G - GENERAL PROVISIONS (CONTINUED)

1. Construction of any process and/or air pollution control equipment authorized by this permit shall be conducted and completed only in compliance with the conditions of this permit.
2. Within thirty (30) days following commencement of construction and within fifteen (15) days following start-up and attainment of the maximum production rate specified in the permit application, or within fifteen (15) days following the issuance date of this permit, whichever is later, the permittee shall furnish to the Regional Office listed on the front of this permit in writing, with a copy to the Division's Frankfort Central Office, notification of the following:
 - a. The date when construction commenced.
 - b. The date of start-up of the affected facilities listed in this permit.
 - c. The date when the maximum production rate specified in the permit application was achieved.
3. Pursuant to 401 KAR 52:020, Section 3(2), unless construction is commenced within eighteen (18) months after the permit is issued, or begins but is discontinued for a period of eighteen (18) months or is not completed within a reasonable timeframe then the construction and operating authority granted by this permit for those affected facilities for which construction was not completed shall immediately become invalid. Upon written request, the Cabinet may extend these time periods if the source shows good cause.
4. For those affected facilities for which construction is authorized by this permit, a source shall be allowed to construct with the proposed permit. Operational or final permit approval is not granted by this permit until compliance with the applicable standards specified herein has been demonstrated pursuant to 401 KAR 50:055. If compliance is not demonstrated within the prescribed timeframe provided in 401 KAR 50:055, the source shall operate thereafter only for the purpose of demonstrating compliance, unless otherwise authorized by Section I of this permit or order of the Cabinet.
5. This permit shall allow time for the initial start-up, operation, and compliance demonstration of the affected facilities listed herein. However, within sixty (60) days after achieving the maximum production rate at which the affected facilities will be operated but not later than 180 days after initial start-up of such facilities, the permittee shall conduct a performance demonstration on the affected facilities in accordance with 401 KAR 50:055, General compliance requirements.
6. Terms and conditions in this permit established pursuant to the construction authority of 401 KAR 51:017 or 401 KAR 51:052 shall not expire.

(e) **Acid Rain Program Requirements**

If an applicable requirement of Federal Statute 42 USC 7401 through 7671q (the Clean Air Act) is more stringent than an applicable requirement promulgated pursuant to Federal Statute 42 USC 7651 through 7651o (Title IV of the Act), both provisions shall apply, and both shall be state and federally enforceable.

SECTION G - GENERAL PROVISIONS (CONTINUED)

(e) Acid Rain Program Requirements

If an applicable requirement of Federal Statute 42 USC 7401 through 7671q (the Clean Air Act) is more stringent than an applicable requirement promulgated pursuant to Federal Statute 42 USC 7651 through 7651o (Title IV of the Act), both provisions shall apply, and both shall be state and federally enforceable.

(f) Emergency Provisions

1. Pursuant to 401 KAR 52:020 Section 24(1), an emergency shall constitute an affirmative defense to an action brought for the noncompliance with the technology-based emission limitations if the permittee demonstrates through properly signed contemporaneous operating logs or relevant evidence that:
 - a. An emergency occurred and the permittee can identify the cause of the emergency;
 - b. The permitted facility was at the time being properly operated;
 - c. During an emergency, the permittee took all reasonable steps to minimize levels of emissions that exceeded the emissions standards or other requirements in the permit; and
 - d. Pursuant to 401 KAR 52:020, 401 KAR 50:055, and KRS 224.01-400, the permittee notified the Division as promptly as possible and submitted written notice of the emergency to the Division when emission limitations were exceeded due to an emergency. The notice shall include a description of the emergency, steps taken to mitigate emissions, and corrective actions taken.
 - e. This requirement does not relieve the source of other local, state or federal notification requirements.
2. Emergency conditions listed in General Condition (f)1 above are in addition to any emergency or upset provision(s) contained in an applicable requirement [401 KAR 52:020, Section 24(3)].
3. In an enforcement proceeding, the permittee seeking to establish the occurrence of an emergency shall have the burden of proof [401 KAR 52:020, Section 24(2)].

(g) Risk Management Provisions

1. The permittee shall comply with all applicable requirements of 401 KAR Chapter 68, Chemical Accident Prevention, which incorporates by reference 40 CFR Part 68, Risk Management Plan provisions. If required, the permittee shall comply with the Risk Management Program and submit a Risk Management Plan to:

RMP Reporting Center
P.O. Box 1515
Lanham-Seabrook, MD 20703-1515.

SECTION G - GENERAL PROVISIONS (CONTINUED)

2. If requested, submit additional relevant information to the Division or the U.S. EPA.

(h) Ozone depleting substances

1. The permittee shall comply with the standards for recycling and emissions reduction pursuant to 40 CFR 82, Subpart F, except as provided for Motor Vehicle Air Conditioners (MVACs) in Subpart B:
 - a. Persons opening appliances for maintenance, service, repair, or disposal shall comply with the required practices contained in 40 CFR 82.156.
 - b. Equipment used during the maintenance, service, repair, or disposal of appliances shall comply with the standards for recycling and recovery equipment contained in 40 CFR 82.158.
 - c. Persons performing maintenance, service, repair, or disposal of appliances shall be certified by an approved technician certification program pursuant to 40 CFR 82.161.
 - d. Persons disposing of small appliances, MVACs, and MVAC-like appliances (as defined at 40 CFR 82.152) shall comply with the recordkeeping requirements pursuant to 40 CFR 82.166
 - e. Persons owning commercial or industrial process refrigeration equipment shall comply with the leak repair requirements pursuant to 40 CFR 82.156.
 - f. Owners/operators of appliances normally containing 50 or more pounds of refrigerant shall keep records of refrigerant purchased and added to such appliances pursuant to 40 CFR 82.166.
2. If the permittee performs service on motor (fleet) vehicle air conditioners containing ozone-depleting substances, the source shall comply with all applicable requirements as specified in 40 CFR 82, Subpart B, *Servicing of Motor Vehicle Air Conditioners*.

SECTION H - ALTERNATE OPERATING SCENARIOS

None

SECTION I - COMPLIANCE SCHEDULE

None